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# 9

461.007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
E. Trifoni :  
Serial No.: 10/524.040 :  
Filed: Feb. 9, 2005 :  
For: MEMBRANE . . GENERATOR

Hedman & Costigan  
1185 Avenue of the Americas  
New York, NY 10036  
January 18, 2007

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25 JAN 2007  
Legal Staff  
International Division


RESPONSIVE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

The undersigned acknowledges receipt of the Notice of change of power attorney and reception of the power of attorney in response to the power of attorney filed **October 27, 2006**.

The undersigned is confused as to why these documents were mailed since the paper filed **October 27, 2006** had nothing to do with the power attorney but was a paper requesting clarification of the decision on the Rule 47(a) petition which request is renewed.

Respectfully submitted,  
Hedman and Costigan

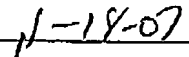
  
Charles A. Muserlian # 19,683  
Attorney for Applicants  
Tel. #212-302-8989

CAM:agp  
Enclosures

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and  
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\_\_\_\_\_  
Charles A. Muserlian #19,683

  
\_\_\_\_\_

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Eduardo Trifoni, et al.  
Serial No.: 10/524,040  
Filed: 02/09/2005  
For: MEMBRANE... GENERATOR

Hedman and Costigan  
1185 Avenue of the Americas  
New York, NY 10036  
October 27, 2006

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby requests an explanation by the Attorney Advisor why the Rule 47(a) petition was not granted since it is believed that (2) of the Rule has been complied with. The Attorney Advisor indicates that the Italian letter was not submitted but it clearly was as can be seen from the copy of the return receipt card filed herewith. In the event that the Patent Office lost it, another copy is filed herewith.

It is believed that Rule 47(a) (2) has been complied with since Ms. Tuosto clearly states that the letter and enclosures have not been returned and Mr. Trifoni has not responded. This is not surprising since as pointed out in Ms. Tuosto's first declaration of record, Mr. Trifoni has refused to execute two earlier applications in which Rule 47(a) petitions have been granted. It

is only logical to assume he will also be refusing to execute this application as well. Therefore, granting of the petition be made.

Respectfully submitted,  
Hedman and Costigan



Charles A. Muserlian #19,683  
Attorney for Applicants  
Tel. 212 302 8989

CAM:mlp  
Enclosures

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

  
Charles A. Muserlian #19,683

10-27-06



Raccomandata R.R.

Dott. Ing.  
Eduardo Trifoni  
Via Donizetti 5  
80127 Napoli (NA)

12 aprile 2006

Caro Eduardo

ti mando il testo completo di disegni e i documenti relativi alla domanda di brevetto U.S.  
SN. 10/524,040 - ns. rif. 205.

La firma, con la data manoscritta, è richiesta sia sulla "Declaration and Power of Attorney"  
che sull'"Assignment".

I documenti assieme al testo dovrebbero poi essere restituiti a NUVERA FUEL CELLS  
EUROPE S.r.l.

Cordiali saluti.

*per conto di*  
NUVERA FUEL CELLS EUROPE S.r.l.

*Armando Sturrock*

## HEDMAN &amp; COSTIGAN, P.C.

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8 MAR 2007

Legal Staff  
International Division

March 8, 2007

SN 10/524,040

Anthony Smith

Per our phone conversation

Charles K. Muserlian

Auto-reply fax to 2123028998 COMPANY:

## Auto-Reply Facsimile Transmission



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HEDMAN &amp; COSTIGAN, PC

PAGE 01

461.007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Edurno Trifoni, et al.  
Serial No.: 10/324,040  
Filed: 02/09/2005  
For: MEMBRANE... GENERATOR

Hedman and Costigan  
1135 Avenue of the Americas  
New York, NY 10036  
October 27, 2006

LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

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It is believed that Rule 47(a) (2) has been complied with since Ms. Tunno clearly states that the letter and enclosures have not been returned and Mr. Trifoni has not responded. This is not surprising since as pointed out in Ms. Tunno's first declaration of record, Mr. Trifoni has refused to execute two earlier applications in which Rule 47(a) petitions have been granted. It